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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,021	07/14/2003	Bao-Chi Peng	LEE0012-US	4012
7590	11/02/2005		EXAMINER	
Michael D. Bednarek Shaw Pittman LLP 1650 Tysons Boulevard McLean, VA 22102			NGUYEN, KHAI MINH	
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/618,021	PENG, BAO-CHI	
	Examiner Khai M. Nguyen	Art Unit 2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 September 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2 and 9-11 is/are rejected.
- 7) Claim(s) 3-8 and 12-17 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

Response to Amendment

1. This Office Action is response to Amendment filed on 9/1/2005
Claims 1-17 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Chia (U.S.Pat-5396253).

Regarding claim 1, Chia teaches a method for estimating a movement speed of a mobile unit in a mobile radio communication system (fig.2, abstract), comprising:

- (A) receiving a signal corresponding to a mobile unit transmitting signal (fig.2, abstract, col.2, lines 9-17);
- (B) generating a first signal by using a first filter unit to filter said signal (col.2, lines 54-64, *each window is of a different duration, the windows differentiate the fading rate of the signal transmitted or received at different speeds*), said first filter unit having a first cut-off frequency (fig.1-2, col.2, lines 54-64, col.6, lines 29-51);
- (C) obtaining a first speed by estimating said movement speed based on said first signal (fig.1-2, col.2, lines 54-64, col.6, lines 29-51);
- (D) generating a second signal by using a second filter unit to filter said signal (col.2, lines 54-64, *each window is of a different duration, the windows differentiate the fading rate of the signal transmitted or received at different speeds*), said second filter unit having a second cut-off frequency (fig.1-2, col.2, lines 54-64, col.6, lines 29-51);
- (E) obtaining a second speed by estimating said movement speed based on said second signal (fig.1-2, col.2, lines 54-64, col.6, lines 29-51); and
- (F) selecting one of said first speed and said second speed to be said movement speed (fig.1-2, col.5, lines 58-64, col.6, lines 52-67).

Regarding claim 2, Chia teaches the method of claim 1, wherein step (F) selects said movement speed according to a predetermined speed (col.5, lines 58-64), further comprising: selecting said second speed to be said movement speed while said first

speed is slower than said predetermined speed (fig.1-2, col.5, lines 58-64, col.6, lines 52-67).

Regarding claim 9, Chia teaches a system for estimating a movement speed of a mobile unit (fig.2, abstract, col.2, lines 9-17), comprising:

a receiving unit for receiving a signal corresponding to a transmitting signal of said mobile unit (fig.2, abstract, col.2, lines 9-17);

a first filter unit for filtering said signal to generate a first signal (col.2, lines 54-64, *each window is of a different duration, the windows differentiate the fading rate of the signal transmitted or received at different speeds*), said first filter unit having a first cut-off frequency (fig.1-2, col.2, lines 54-64, col.6, lines 29-51);

a second filter unit for filtering said signal to generate a second signal (col.2, lines 54-64, *each window is of a different duration, the windows differentiate the fading rate of the signal transmitted or received at different speeds*), said second filter unit having a second cut-off frequency (fig.1-2, col.2, lines 54-64, col.6, lines 29-51);

an estimated unit for obtaining a first speed by estimating said movement speed based on said first signal (fig.1-2, col.2, lines 54-64, col.6, lines 29-51), and obtaining a second speed by estimating said movement speed based on said second signal (fig.1-2, col.2, lines 54-64, col.6, lines 29-51); and

a selecting unit for selecting one of said first speed and said second speed to be said movement speed (fig. 1-2, col.5, lines 58-64, col.6, lines 52-67).

Regarding claim 10, Chia teaches the system of claim 9, wherein said selecting unit defines a predetermined speed (fig.1-2, col.5, lines 58-64, col.6, lines 52-67).

Regarding claim 11, Chia teaches the system of claim 10, wherein said selecting unit selects said second speed to be said movement speed while said first speed is slower than said predetermined speed (fig.1-2, col.5, lines 58-64, col.6, lines 52-67).

Allowable Subject Matter

4. Claims 3-8, 12-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Citation of Pertinent Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Subrahmanya (U.S.Pub-20040125771) discloses Adapting operation of a communication filter based on mobile unit velocity.

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Da Rocha et al. (U.S.Pub-20020042279) discloses Receiver device for a mobile radiocommunication unit employing a speed estimator.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571.272.7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khai Nguyen
AU:2687

10/26/2005

Lester G. Kincaid
10/26/05
LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER